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In re Application of	:	
TEIFEL et al.	:	
Application No.: 10/575,779	:	NOTIFICATION
PCT No.: PCT/EP2004/011655	:	
Int. Filing Date: 15 October 2004	:	
Priority Date: 15 October 2003	:	
Attorney's Docket No.: 062587-5007	:	
For: METHOD OF ADMINISTERING CATIONIC	:	
LIPOSOMES COMPRISING AN ACTIVE DRUG	:	

This notification is in response to applicant's submission filed 28 September 2007 in the United States Patent and Trademark Office (USPTO).

**BACKGROUND**

On 15 October 2004, applicant filed international application PCT/EP2004/011655, which designated the U.S. and claimed a priority date of 15 October 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 06 May 2005. The thirty-month period for paying the basic national fee in the United States expired at midnight on 17 April 2006 (15 April 2006 being a Saturday).

On 14 April 2006, applicant filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a copy of a declaration filed in the international application under PCT Rule 4.17(iv).

On 29 December 2006, the USPTO mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that the copy of the declaration filed 14 April 2006 was not in compliance with 37 CFR 1.497(a)-(b) because it did not identify the application to which it was directed and that the surcharge under 37 CFR 1.492(h) was required. The NOTIFICATION also indicated that a "Sequence Listing" as required by 37 CFR 1.821(c) was needed.

On 30 May 2007, applicant filed a submission which was accompanied by, *inter alia*, a petition/fee for a four-month extension of time, the surcharge under 37 CFR 1.492(h), and a number of declarations of inventors.

On 29 August 2007, a Notification was mailed indicating that the declaration of inventors filed 25 June 2007 signed by joint inventor Kurt Naujoks was not sufficient because it contained non-initialed, non-dated alterations and that a declaration of inventors in compliance with 37 CFR 1.497(a)-(b) and 37 CFR 1.52(c) executed by Kurt Naujoks was required.

On 28 September 2007, applicants filed the instant submission which included a number of declaration of inventors.

### **DISCUSSION**

The declarations of inventors filed 28 September 2007 are in compliance with 37 CFR 1.497(a)-(b).

As noted in the Notification mailed 29 August 2007, contrary to the NOTIFICATION OF MISSING REQUIREMENTS mailed 29 December 2006, it does not appear that a sequence listing is required.

### **CONCLUSION**

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



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